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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

MARIO GONZALEZ,

Defendant and Appellant.

D059527

(Super. Ct. No. SCS226730)

APPEAL from a judgment of the Superior Court of San Diego County, Esteban Hernandez, Judge. Affirmed.

Mario Gonzalez entered into a plea agreement, under the terms of which he pled guilty to three offenses with firearm enhancements and stipulated to a 15-year prison sentence. Nine remaining counts were dismissed. Gonzalez filed a timely notice of appeal and requested a certificate of probable cause, which was denied by the court.

Pursuant to his plea agreement, Gonzalez pled guilty to count 1, kidnapping (Pen. Code,¹ § 207, subd. (a)) and admitted the firearm enhancement under section 12022.53,

¹ All further statutory references are to the Penal Code unless otherwise specified.

subdivision (b); count 8, assault with a firearm (§ 245, subd. (a)(2)) and count 10, kidnapping (§ 207, subd. (a)). Gonzalez was sentenced to the stipulated 15-year term.

After entering his guilty pleas Gonzalez requested and was granted the right to represent himself. Six weeks later, Gonzalez requested that counsel be re-appointed and the court granted his request. Gonzalez later brought a motion to withdraw his guilty plea, which motion was denied.

Counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *Anders v. California* (1967) 386 U.S. 738 (*Anders*) raising possible, but not arguable issues. We offered Gonzalez the opportunity to file his own brief on appeal but he has not responded.

STATEMENT OF FACTS

The offenses appear to arise from a dispute Gonzalez had with another individual, Jose Arreola, regarding money. As Gonzalez attempted to locate Arreola, he kidnapped and assaulted several people.

On February 18, 2009, Gonzalez kidnapped Jamie Murphy and threatened her with a firearm. He demanded to know where Jose A. was located and when he did not get the desired information he threatened Murphy. On the same date Gonzalez assaulted Alberto Herrera and struck him several times with a firearm. Gonzalez also kidnapped Herrera on the 18th.

DISCUSSION

As we have previously noted, appellate counsel has filed a brief indicating he is unable to identify any argument for reversal and asks this court to review the record for error as mandated by *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders, supra*, 386 U.S. 738, the brief identifies possible, but not arguable issues:

1. Whether the court erred in denying Gonzalez's motion to withdraw his guilty plea; and
2. Whether the trial court correctly calculated custody credits at the time of sentencing.

We have reviewed the entire record in accordance with *Wende, supra*, 25 Cal.3d 436 and *Anders*, 386 U.S. 738, and have not found any reasonably arguable appellate issues. Competent counsel has represented Gonzalez.

DISPOSITION

The judgment is affirmed.

HUFFMAN, J.

McCONNELL, P. J.

NARES, J.